

ENTERED

October 05, 2017

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

§

VS.

§ CRIMINAL NO. 2:17-CR-54-1

DIOSBEL GONZALEZ-OGIS

§

ORDER GRANTING MOTION FOR CONTINUANCE

Pending is Defendant DIOSBEL GONZALEZ-OGIS's motion for continuance. (D.E. 79). United States District Judge Nelva Gonzales Ramos referred the motion to the undersigned magistrate judge for disposition. The Government is unopposed to the motion. The defendant moves for a continuance because additional persons and cooperating individuals have been identified by the Government as witnesses. Defense counsel requests additional time to investigate, interview witnesses and prepare for trial.

The Court has considered the Unopposed Motion for Continuance of the Pretrial Conference and Trial of defendant, DIOSBEL GONZALEZ-OGIS, and finds that this motion should be **GRANTED**. Taking into account the exercise of due diligence, failure to grant the continuance would deny counsel for the defendant reasonable time necessary for effective preparation.

Accordingly, the Court **GRANTS** the motion for continuance and further finds pursuant to 18 U.S.C. § 3161(h)(7)(A) the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy trial.

The parties are **ORDERED** to be diligent in their trial preparation. The defendant was arrested on December 29, 2016. The case has been continued several times and the material witnesses remain in custody. It is time for the case to be resolved.

The deadline to file pretrial motions has expired. (D.E. 24). Any motion for leave to file a late filed motion must be filed by **noon on October 13, 2017**.

The parties are **ORDERED** to exchange pre-marked exhibits, exhibit lists, witness lists and proposed jury instructions by **5:00 p.m. on October 26, 2017**. Any objection to exhibits, witnesses, instructions or motion in limine shall be filed by **5:00 p.m. on October 30, 2017**. Failure to comply with this order may result items being struck, not admitted into evidence or otherwise not considered by the Court.

It is further **ORDERED** that this case is set for a final pretrial conference on **November 2, 2017 at 9:00 a.m.** and jury selection and trial is set on **November 6, 2017 at 9:00 a.m.** As the defense counsel has indicated the case will proceed to trial, both settings will be before U.S. District Judge Nelva Gonzales Ramos.

In the event the defendant decides to plead guilty, defense counsel is instructed to notify case manager Kendra Bledsoe for setting before the undersigned for re-arraignment.

ORDERED this 4th day of October, 2017.

Jason Libby
Jason B. Libby
United States Magistrate Judge